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By: Cindy Chickara

DATE: August 29, 2001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of :  
Sean A. McCarthy et al. : Attention:  
: **Box Missing Parts**  
Appln. No.: 09/766,511 :  
: Group Art Unit:  
Filed: January 19, 2001 :  
For: NOVEL GENES ENCODING PROTEINS : Attorney Docket  
HAVING PROGNOSTIC, DIAGNOSTIC : No. 10147-65  
PREVENTIVE, THERAPEUTIC AND : (MPI2000-537OMNI)  
OTHER USES :

**TRANSMITTAL OF MISSING PARTS OF APPLICATION**  
**FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated March 29, 2001, we submit herewith the following:

- ☒ Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed March 29, 2001.
- ☐ No Notice to File Missing Parts has been received.
- ☒ Executed Declaration and Power of Attorney.
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:  
☒ Computer readable copy ☒ Paper Copy ☒ Verified Statement
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☒ Other: Petition for a Three-Month Extension of Time and check.

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$355.			\$710	
Total	-20 =		X9	\$	OR	X18	\$
Independent	- 3=		X40	\$	OR	X80	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$
			TOTAL	\$	OR	TOTAL	\$

- [X] The following fees noted below are being paid.
- ☐ Surcharge of \$65 for late filing of filing fee and/or Declaration and Power of Attorney.
  - [X] Surcharge of \$130 for late filing of English translation.
  - [X] Extension of Time fee in the amount of \$445.00 (Petition for Extension of Time is attached).
  - ☐ Filing Fee in the amount of \$\_\_\_\_.00 calculated above.
- [X] Enclosed are our firm's checks in the amounts of \$130.00 and \$445.00 for the above fee(s).
- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210147.0065) as noted below. A duplicate copy of this sheet is enclosed.
- ☐ The above-calculated fee(s) calculated totaling \$\_\_\_\_.00.
  - [X] Any overpayments or deficiencies in the above-calculated fee(s).
  - [X] Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.
  - [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

29 August 2001

(Date)

By: \_\_\_\_\_

**GARY D. COLBY, Ph.D., J.D.**

Registration No. 40,961

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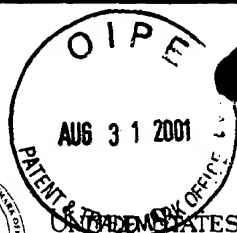
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Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/766,511	01/19/2001	Sean A. McCarthy	210146.0065/65US

CONFIRMATION NO. 9759

000570

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.  
ONE COMMERCE SQUARE  
2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103

## FORMALITIES LETTER



\*OC000000005914296\*

Date Mailed: 03/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/05/2001 BABRAHA1 00000035 09766511

FILED UNDER 37 CFR 1.53(b)

130.00 DP

02 FC:105

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice MUST be returned with the reply.*

\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 908-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE